

No. 61
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2020

Senate Chamber, Lansing, Wednesday, July 29, 2020.

10:00 a.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

Messages from the Governor

The following message from the Governor was received on July 24, 2020, and read:

EXECUTIVE ORDER
No. 2020-156

Temporary restrictions on entry into health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities

Rescission of Executive Order 2020-136

To protect Michigan's most vulnerable populations living in congregate settings, this executive order continues until August 31 the limited and temporary restrictions on the entry of individuals into health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities previously imposed by Executive Order 2020-136. The Michigan Department of Health and Human Services remains empowered to specify exceptions to these restrictions.

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. Older adults and those with chronic health conditions are at particular risk, and there is an increased risk of rapid spread of COVID-19 among persons in close proximity to one another. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended (EMA), MCL 30.401 *et seq.*, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended (EPGA), MCL 10.31 *et seq.*

Since then, the virus spread across Michigan, bringing deaths in the thousands, confirmed cases in the tens of thousands, and deep disruption to this state's economy, homes, and educational, civic, social, and religious institutions. On April 1, 2020, in response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, I issued Executive Order 2020-33. This order expanded on Executive Order 2020-4 and declared both a state of emergency and a state of disaster across the State of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, and the

Emergency Powers of the Governor Act of 1945. And on April 30, 2020, finding that COVID-19 had created emergency and disaster conditions across the State of Michigan, I issued Executive Order 2020-67 to continue the emergency declaration under the EPGA, as well as Executive Order 2020-68 to issue new emergency and disaster declarations under the EMA.

Those executive orders have been challenged in *Michigan House of Representatives and Michigan Senate v Whitmer*. On May 21, 2020, the Court of Claims ruled that Executive Order 2020-67 is a valid exercise of authority under the Emergency Powers of the Governor Act but that Executive Order 2020-68 is not a valid exercise of authority under the Emergency Management Act. Both of those rulings are being challenged on appeal.

On June 18, 2020, I issued Executive Order 2020-127, again finding that the COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan. That order constituted a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. And, to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has declined to grant an extension request, that order also constituted a state of emergency and state of disaster declaration under that act.

The Emergency Powers of the Governor Act provides a sufficient legal basis for issuing this executive order. In relevant part, it provides that, after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control.” MCL 10.31(1).

Nevertheless, subject to the ongoing litigation and the possibility that current rulings may be overturned or otherwise altered on appeal, I also invoke the Emergency Management Act as a basis for executive action to combat the spread of COVID-19 and mitigate the effects of this emergency on the people of Michigan, with the intent to preserve the rights and protections provided by the EMA. The EMA vests the governor with broad powers and duties to “cop[e] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)–(2). This executive order falls within the scope of those powers and duties, and to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has not granted an extension request, they too provide a sufficient legal basis for this order.

To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and to this state’s health care system and other critical infrastructure, it is reasonable and necessary to impose limited and temporary restrictions on the entry of individuals into health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities.

Executive Order 2020-136 and its predecessors imposed such restrictions and authorized the Department of Health and Human Services to create exceptions. In light of the ongoing risk to residents and employees of those facilities, it is reasonable and necessary to further extend such restrictions. With this order, Executive Order 2020-136 is rescinded.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Except as otherwise provided by the order of the Director of the Department of Health and Human Services (DHHS), all health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities must prohibit from entering their facilities any visitors that: are not necessary for the provision of medical care, the support of activities of daily living, or the exercise of power of attorney or court-appointed guardianship for an individual under the facility’s care; are not a parent, foster parent, prospective adoptive parent, or guardian of an individual who is 21 years of age or under and who is under the facility’s care; are not visiting an individual under the facility’s care that is in serious or critical condition or in hospice care; and are not visiting under exigent circumstances or for the purpose of performing official governmental functions.

2. All health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities must perform a health evaluation of all individuals that are not under the care of the facility each time the individual seeks to enter the facility, and must deny entry to those individuals who do not meet the evaluation criteria. The evaluation criteria must include, at a minimum, symptoms of a respiratory infection, such as fever, cough, or shortness of breath; contact in the last 14 days with someone with a confirmed diagnosis of COVID-19; and other criteria specified by the Director of DHHS.

3. Any staff member or visitor of a residential care facility, congregate care facility, or juvenile justice facility must wear a covering over his or her nose and mouth when indoors or within six feet of another person.

4. While the restrictions of this order are in place, all health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities must make best efforts to facilitate visitations with individuals under their care by phone or other electronic communication platforms to the fullest extent possible, consistent with normal visitation policies.

5. For purposes of this order, “residential care facilities” includes, but is not limited to, homes for the aged, nursing homes, adult foster care facilities, hospice facilities, substance abuse disorder residential facilities, independent living facilities, and assisted living facilities.

6. The Director of DHHS may issue orders and directives to implement this order, including to specify exceptions to section 1 of this order, and to specify additional evaluation criteria under section 2 of this order.

7. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order shall constitute a misdemeanor.

8. Executive Order 2020-136 is rescinded.

9. This order is effective immediately and continues through August 31, 2020 at 11:59 p.m. Given under my hand and the Great Seal of the State of Michigan.

Date: July 23, 2020

Time: 7:17 p.m.

[SEAL]

Gretchen Whitmer
Governor

By the Governor:
Jocelyn Benson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following message from the Governor was received on July 27, 2020, and read:

EXECUTIVE ORDER
No. 2020-157

Temporary suspension of youth work permit application requirements

Rescission of Executive Order 2020-140

Certain aspects of the Youth Employment Standards Act, such as the requirement to use certain kinds of colored paper, require in-person interactions that could spread COVID-19. In order to reduce the need for such in-person interactions, this executive order continues until August 31 the suspension of certain requirements for applications for youth work permits previously imposed by Executive Order 2020-140.

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. Older adults and those with chronic health conditions are at particular risk, and there is an increased risk of rapid spread of COVID-19 among persons in close proximity to one another. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended (EMA), MCL 30.401 *et seq.*, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended (EPGA), MCL 10.31 *et seq.*

Since then, the virus spread across Michigan, bringing deaths in the thousands, confirmed cases in the tens of thousands, and deep disruption to this state’s economy, homes, and educational, civic, social, and religious institutions. On April 1, 2020, in response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, I issued Executive Order 2020-33. This order expanded on Executive Order 2020-4 and declared both a state of emergency and a state of disaster across the State of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, and the Emergency Powers of the Governor Act of 1945. And on April 30, 2020, finding that COVID-19 had created emergency and disaster conditions across the State of Michigan, I issued Executive Order 2020-67 to continue the emergency declaration under the EPGA, as well as Executive Order 2020-68 to issue new emergency and disaster declarations under the EMA.

Those executive orders have been challenged in *Michigan House of Representatives and Michigan Senate v Whitmer*. On May 21, 2020, the Court of Claims ruled that Executive Order 2020-67 is a valid exercise of authority under the Emergency Powers of the Governor Act but that Executive Order 2020-68 is not a valid exercise of authority under the Emergency Management Act. Both of those rulings are being challenged on appeal.

On June 18, 2020, I issued Executive Order 2020-127, again finding that the COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan. That order constituted a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. And, to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has declined to grant an extension request, that order also constituted a state of emergency and state of disaster declaration under that act.

The Emergency Powers of the Governor Act provides a sufficient legal basis for issuing this executive order. In relevant part, it provides that, after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control.” MCL 10.31(1).

Nevertheless, subject to the ongoing litigation and the possibility that current rulings may be overturned or otherwise altered on appeal, I also invoke the Emergency Management Act as a basis for executive action to combat the spread of COVID-19 and mitigate the effects of this emergency on the people of Michigan, with the intent to preserve the rights and protections provided by the EMA. The EMA vests the governor with broad powers and duties to “cop[er] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)–(2). This executive order falls within the scope of those powers and duties, and to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has not granted an extension request, they too provide a sufficient legal basis for this order.

Every summer, many of our state’s young residents seek employment in order to earn money, gain valuable work experience, and contribute to the state economy. Compliance with certain procedures related to obtaining work permits and supporting documentation from school personnel has become prohibitively difficult with school buildings being closed for instructional purposes. Young Michiganders constitute an important part of the summer workforce, especially because the COVID-19 pandemic requires that many workers stay home when experiencing symptoms or because they are part of a vulnerable population.

Certain aspects of the Youth Employment Standards Act, such as the requirement to use certain kinds of colored paper, require in-person interactions that could spread COVID-19. Executive Order 2020-140 and its predecessors temporarily suspended these requirements. This order further extends that policy, because it continues to be reasonable and necessary to mitigate the spread of COVID-19, protect public health, and provide protections to vulnerable Michiganders of all ages. With this order, Executive Order 2020-140 is rescinded.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Strict compliance with section 5 of the Youth Employment Standards Act, 1978 PA 90, MCL 409.105, is temporarily suspended to the extent it requires an application of a work permit to be made in person. An issuing officer may accept and examine a work permit application (including any accompanying materials) submitted by alternative means including mail, e-mail, fax, or web-based form. Issuing officers must make information on how such application materials may be submitted publicly available.

2. Strict compliance with section 6 of the Youth Employment Standards Act, MCL 409.106, is temporarily suspended such that the color of work permits for minors under 16 years of age does not need to be distinct from that of work permits for minors 16 years of age and over.

3. Executive Order 2020-140 is rescinded.

4. This order is effective immediately and continues through August 31, 2020 at 11:59 p.m.
Given under my hand and the Great Seal of the State of Michigan.

Date: July 27, 2020

Time: 10:30 a.m.

[SEAL]

Gretchen Whitmer
Governor

By the Governor:
Jocelyn Benson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following message from the Governor was received on July 27, 2020, and read:

EXECUTIVE ORDER
No. 2020-158

**Encouraging the use of electronic signatures and remote notarization,
witnessing, and visitation during the COVID-19 pandemic**

Rescission of Executive Order 2020-131

In order to reduce in-person interactions that may lead to the spread of COVID-19, this order continues until August 31 the suspension of certain requirements related to notarizations, witnessing of signatures, and in-person visitation previously imposed by Executive Order 2020-131.

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. Older adults and those with chronic health conditions are at particular risk, and there is an increased risk of rapid spread of COVID-19 among persons in close proximity to one another. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended (EMA), MCL 30.401 *et seq.*, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended (EPGA), MCL 10.31 *et seq.*

Since then, the virus spread across Michigan, bringing deaths in the thousands, confirmed cases in the tens of thousands, and deep disruption to this state's economy, homes, and educational, civic, social, and religious institutions. On April 1, 2020, in response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, I issued Executive Order 2020-33. This order expanded on Executive Order 2020-4 and declared both a state of emergency and a state of disaster across the State of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, and the Emergency Powers of the Governor Act of 1945. And on April 30, 2020, finding that COVID-19 had created emergency and disaster conditions across the State of Michigan, I issued Executive Order 2020-67 to continue the emergency declaration under the EPGA, as well as Executive Order 2020-68 to issue new emergency and disaster declarations under the EMA.

Those executive orders have been challenged in *Michigan House of Representatives and Michigan Senate v Whitmer*. On May 21, 2020, the Court of Claims ruled that Executive Order 2020-67 is a valid exercise of authority under the Emergency Powers of the Governor Act but that Executive Order 2020-68 is not a valid exercise of authority under the Emergency Management Act. Both of those rulings are being challenged on appeal.

On June 18, 2020, I issued Executive Order 2020-127, again finding that the COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan. That order constituted a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. And, to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has declined to grant an extension request, that order also constituted a state of emergency and state of disaster declaration under that act.

The Emergency Powers of the Governor Act provides a sufficient legal basis for issuing this executive order. In relevant part, it provides that, after declaring a state of emergency, "the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control." MCL 10.31(1).

Nevertheless, subject to the ongoing litigation and the possibility that current rulings may be overturned or otherwise altered on appeal, I also invoke the Emergency Management Act as a basis for executive action to combat the spread of COVID-19 and mitigate the effects of this emergency on the people of Michigan, with the intent to preserve the rights and protections provided by the EMA. The EMA vests the governor with broad powers and duties to "cop[e] with dangers to this state or the people of this state presented by a disaster or emergency," which the governor may implement through "executive orders, proclamations, and directives having the force and effect of law." MCL 30.403(1)–(2). This executive order falls within the scope of those powers and duties, and to the extent the governor may declare a state of emergency and a state of disaster

under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has not granted an extension request, they too provide a sufficient legal basis for this order.

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, it is crucial that all Michiganders limit in-person contact to the fullest extent possible. This includes social distancing and minimizing in-person work and interaction to only that which is strictly necessary. To that end, it is reasonable and necessary to provide limited and temporary relief from certain rules and requirements so as to enable and encourage the use of electronic signatures, remote notarizations, remote witness attestations and acknowledgments, and remote visitations. This will help ensure that necessary transactions and interactions may continue to occur during this time of crisis without unduly compromising the health and safety of this state and its residents.

Executive Order 2020-131 and its predecessors provided that relief. This order further extends that policy because it remains reasonable and necessary in light of the ongoing COVID-19 pandemic. With this order, Executive Order 2020-131 is rescinded.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Strict compliance with rules and procedures under the Uniform Electronic Transactions Act (“UETA”), 2000 PA 305, as amended, MCL 450.831 *et seq.*, and the Uniform Real Property Electronic Recording Act (“URPERA”), 2010 PA 123, as amended, MCL 565.841 *et seq.*, is temporarily suspended to the extent necessary to permit the use of an electronic signature for a transaction whenever a signature is required under Michigan law, unless the law specifically mandates a physical signature. As provided in section 7 of the UETA, MCL 450.837, a signature will not be denied legal effect or enforceability solely because it is in electronic form and if a law requires a signature, an electronic signature satisfies the law.

2. Strict compliance with rules and procedures under section 18 of the UETA, MCL 450.848, is temporarily suspended so as to permit each state department to send and accept electronic records and electronic signatures to and from other persons without a determination from or approval by the Department of Technology, Management and Budget.

3. Strict compliance the Michigan Law on Notarial Acts, 2003 PA 238, as amended, MCL 55.261 *et seq.*, is temporarily suspended, to the extent it requires a notary to be in the physical presence of an individual seeking the notary’s services or of any required witnesses.

4. To minimize in-person interaction and facilitate remote work during the declared states of emergency and disaster:

(a) Governmental agencies and officials of this state are encouraged to use or permit the use of electronic records and electronic signatures for transaction of business, processing of applications, and recognition of the validity of legal instruments, and, when a notarized signature is mandated by law, to use a remote electronic notary pursuant to the Michigan Law on Notarial Acts, MCL 55.261 *et seq.*

(b) Persons and entities engaged in transactions are encouraged to use electronic records and electronic signatures and, when a notarized signature is mandated by law, to use a remote electronic notary pursuant to the Michigan Law on Notarial Acts, MCL 55.261 *et seq.*

5. In addition to other means available by law, any notarial act that is required under Michigan law may be performed by a notary who currently holds a valid notarial commission in this state (“notary”) utilizing two-way real-time audiovisual technology, provided that all of the following conditions are met:

(a) The two-way real-time audiovisual technology must allow direct interaction between the individual seeking the notary’s services, any witnesses, and the notary, wherein each can communicate simultaneously by sight and sound through an electronic device or process at the time of the notarization.

(b) The two-way real-time audiovisual technology must be capable of creating an audio and visual recording of the complete notarial act and such recording must be made and retained as a notarial record in accordance with sections 26b(7) to 26b(9) of the Michigan Law on Notarial Acts, MCL 55.286b(7) to 55.286b(9).

(c) The individual seeking the notary’s services and any required witnesses, if not personally known to the notary, must present satisfactory evidence of identity (e.g., a valid state-issued photo identification) to the notary during the video conference, not merely transmit it prior to or after the transaction, to satisfy the requirements of the Michigan Law on Notarial Acts, MCL 55.261 *et seq.*, and any other applicable law.

(d) The individual seeking the notary’s services must affirmatively represent either that the individual is physically situated in this state, or that the individual is physically located outside the geographic boundaries of this state and that either:

- (1) The document is intended for filing with or relates to a matter before a court, governmental entity, public official, or other entity subject to the jurisdiction of this state; or
- (2) The document involves property located in the territorial jurisdiction of this state or a transaction substantially connected to this state.

If an individual is physically located outside of the geographic boundaries of this state, the notary must have no actual knowledge that the individual's act of making the statement or signing the document is prohibited by the laws of the jurisdiction in which the individual is physically located.

(e) The individual seeking the notary's services, any required witnesses, and the notary must be able to affix their signatures to the document in a manner that renders any subsequent change or modification of the remote online notarial act to be tamper evident.

(f) The individual seeking the notary's services or the individual's designee must transmit by fax, mail, or electronic means a legible copy of the entire signed document directly to the notary on the same date it was signed. This requirement shall apply regardless of the manner in which the document is signed.

(g) Once the notary has received a legible copy of the document with all necessary signatures, the notary may notarize the document and transmit the notarized document back to the individual seeking the notary's services.

(h) The official date and time of the notarization shall be the date and time when the notary witnesses the signature via two-way real-time audiovisual technology as required under this section.

6. Any requirement under Michigan law that an in-person witness attest to or acknowledge an instrument, document, or deed may be satisfied by the use of two-way real-time audiovisual technology, provided that all of the following conditions are met:

(a) The two-way real-time audiovisual technology must allow direct, contemporaneous interaction by sight and sound between the individual signing the document (the "signatory") and the witness(es).

(b) The interaction between the signatory and the witness(es) must be recorded and preserved by the signatory or the signatory's designee for a period of at least three years, unless a law of this state requires a different period of retention.

(c) The signatory must affirmatively represent either that the signatory is physically situated in this state, or that the signatory is physically located outside the geographic boundaries of this state and that either of the following apply:

(1) The document is intended for filing with or relates to a matter before a court, governmental entity, public official, or other entity subject to the jurisdiction of this state; or

(2) The document involves property located in the territorial jurisdiction of this state or a transaction substantially connected to this state.

(d) The signatory must affirmatively state during their interaction with the witness(es) on the two-way real-time audiovisual technology what document they are executing.

(e) Each title page and signature page of the document being witnessed must be shown to the witness(es) on the two-way real-time audiovisual technology in a manner clearly legible to the witness(es), and every page of the document must be numbered to reflect both the page number of the document and the total number of pages of the document.

(f) Each act of signing the document must be captured sufficiently up close on the two-way real-time audiovisual technology for the witness(es) to observe.

(g) The signatory or the signatory's designee must transmit by fax, mail, or electronic means a legible copy of the entire signed document directly to the witness(es) within 72 hours of when it is executed.

(h) Within 72 hours of receipt, the witness(es) must sign the transmitted copy of the document as a witness and return the signed copy of the document to the signatory or the signatory's designee by fax, mail, or electronic means.

7. Notwithstanding any law or regulation of this state to the contrary, absent an express prohibition in the document against signing in counterparts, any document signed under this order may be signed in counterparts.

8. A guardian, guardian ad litem, or visitor may satisfy any requirement concerning a visit with a person, including but not limited to a visit in the physical presence of a person under the Estates and Protected Individuals Code, 1998 PA 386, as amended, MCL 700.1101 *et seq.*, by instead conferring with that person via two-way real-time audiovisual technology that allows direct, contemporaneous interaction by sight and sound between the person being visited and the guardian, guardian ad litem, or visitor.

9. Any law of this state requiring an individual to appear personally before or be in the presence of either a notary at the time of a notarization or a witness at the time of attestation or acknowledgment shall be satisfied if the individual, the witness(es), and/or the notary are not in the physical presence of each other but can communicate simultaneously by sight and sound via two-way real-time audiovisual technology at the time of the notarization, attestation, or acknowledgment.

10. For the duration of this order and any order that may follow from it, financial institutions and registers of deeds must not refuse to record a tangible copy of an electronic record on the ground that it does not bear the original signature of a person, witness, or notary, if the notary before whom it was executed certifies that the tangible copy is an accurate copy of the electronic record.

11. Strict compliance with section 9(2) of the Michigan Law on Notarial Acts, as amended, MCL 55.269(2), is temporarily suspended to the extent necessary to extend until July 31, 2020 the validity of a notarial commission that expired or is set to expire between March 1, 2020 and August 31, 2020.

12. For purposes of the “verified user agreement” requirement of section 4 of the URPRA, MCL 565.844(4), a county recording office must deem all financial institutions and all licensed title insurers or their employed or contracted settlement agents as covered by a verified user agreement for the duration of this order and any order that may follow from it. The recorder may ask the financial institution or title insurance company for verification of a notary’s employment or contractual association.

13. As used in this order:

(a) “Electronic,” “electronic record,” “electronic signature,” “governmental agency,” “person,” and “transaction” mean those terms as defined under section 2 of the UETA, MCL 450.832.

(b) “Financial institution” means that term as defined in section 4(c) of the Michigan Strategic Fund Act, 1984 PA 270, as amended, MCL 125.2004(c).

14. Executive Order 2020-131 is rescinded.

15. This order is effective immediately and continues through August 31, 2020 at 11:59 p.m.

Given under my hand and the Great Seal of the State of Michigan.

Date: July 27, 2020

Time: 10:31 a.m.

[SEAL]

Gretchen Whitmer
Governor

By the Governor:
Jocelyn Benson
Secretary of State

The executive order was referred to the Committee on Government Operations.

Announcements of Printing and Enrollment

The Secretary announced that the following bills, joint resolution, and resolution were printed and filed on Thursday, July 23, and are available on the Michigan Legislature website:

Senate Bill Nos.	1020	1021	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032
	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043	1044	1045
	1046	1047	1048	1049	1050	1051	1052						
Senate Resolution No.	136												
House Bill Nos.	5979	5980	5981	5982	5983	5984	5985	5986	5987	5988	5989	5990	5991
	5992	5993	5994	5995	5996	5997	5998	5999	6000	6001	6002	6003	6004
	6005	6006	6007	6008	6009	6010	6011	6012	6013	6014	6015	6016	6017
	6018	6019	6020	6021	6022	6023	6024	6025	6026	6027	6028	6029	6030
	6031	6032	6033	6034	6035								
House Joint Resolution	S												

Committee Reports

The Committee on Finance reported

House Bill No. 4851, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 53b (MCL 211.53b), as amended by 2017 PA 261.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Runestad
Chairperson

To Report Out:

Yeas: Senators Runestad, Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, July 22, 2020, at 12:00 noon, Room 403, 4th Floor, Capitol Building

Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

The Committee on Insurance and Banking reported

Senate Bill No. 1015, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 1103 and 1106 (MCL 500.1103 and 500.1106), section 1103 as amended and section 1106 as added by 2018 PA 91.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Lana Theis

Chairperson

To Report Out:

Yeas: Senators Theis, Lauwers, LaSata, Nesbitt, Daley, Barrett, Horn, Geiss, Bullock and McMorro

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Insurance and Banking submitted the following:

Meeting held on Thursday, July 23, 2020, at 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Theis (C), Lauwers, LaSata, Nesbitt, Daley, Barrett, Horn, Geiss, Bullock and McMorro

The Committee on Judiciary and Public Safety reported

Senate Bill No. 221, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5207, 5208, and 5209 (MCL 700.5207, 700.5208, and 700.5209).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Peter J. Lucido

Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 5859, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 803 and 807 (MCL 600.803 and 600.807), section 803 as amended by 2012 PA 36 and section 807 as amended by 2004 PA 492.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Peter J. Lucido

Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Health Policy and Human Services reported

Senate Bill No. 809, entitled

A bill to amend 1984 PA 323, entitled “The health care false claim act,” by amending section 4a (MCL 752.1004a), as amended by 2016 PA 80.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Curtis S. VanderWall
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Santana and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy and Human Services reported

Senate Bill No. 855, entitled

A bill to ensure access to quality complex rehabilitation technology in the Medicaid program for people with complex medical needs; and to prescribe the powers and duties of certain state departments.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Curtis S. VanderWall
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Santana and Wojno

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Human Services submitted the following:

Meeting held on Thursday, July 23, 2020, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators VanderWall (C), Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Santana and Wojno

Excused: Senator Hertel

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Thursday, July 23, 2020, at 2:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators McBroom (C), Lucido, Theis, MacDonald and Irwin

COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Tuesday, July 28, 2020, at 12:00 noon, Room 403, 4th Floor, Capitol Building

Present: Senators Theis (C), Daley, Polehanki and Geiss

Excused: Senators Horn, Bumstead and Runestad

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Joint meeting held on Tuesday, July 28, 2020, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Lauwers (C), LaSata, Nesbitt, Barrett, Outman, Brinks and McMorrow

Excused: Senators Horn, Bumstead and McCann

COMMITTEE ATTENDANCE REPORT

The Committee on Environmental Quality submitted the following:

Joint meeting held on Tuesday, July 28, 2020, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Outman (C), Daley, Johnson, VanderWall, Bayer and Brinks

Excused: Senator McBroom

Scheduled Meetings

Economic and Small Business Development Joint with House Judiciary - Thursday, August 6, 8:30 a.m., Room 352, House Appropriations Room, 3rd Floor, Capitol Building (517) 373-1721

In the absence of all Senators, pursuant to Joint Rule 15, the Secretary of the Senate adjourned the Senate, the time being 10:01 a.m.

In pursuance of the order previously made, the Secretary of the Senate declared the Senate adjourned until Thursday, August 6, 2020, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

